



Landmarks & Urban  
Conservation Commission



**Agenda Number: 7**  
**Case No.: 09LUCC-50041**  
**Project # 1007716**  
**December 9, 2009**

**Supplemental Staff Report**

<b>Agent</b>	No	<b>Staff Recommendation</b> <b><i>DENIAL of Case # 09LUCC-50041, Project #1007716, a request for a Certificate of Appropriateness for alteration, based on the Findings 1-20 beginning on page 3.</i></b>  <b>Maryellen Hennessy</b> <b>Staff Planner</b>
<b>Applicant</b>	Sylvain Steinlauf	
<b>Request</b>	Certificate of Appropriateness for alteration	
<b>Legal Description</b>	Tract 164, MRGCD Map 38	
<b>Address/Location</b>	109 Romero NW	
<b>Size</b>		
<b>Zoning</b>	H-1	
<b>Historic Location</b>	Old Town Historic Overlay Zone	

**Summary of Analysis**

The application is for a Certificate of Appropriateness for alteration at 109 Romero NW in the Old Town Historic Overlay Zone.

The project is presented "as built". In August of 2008, a window on the east elevation of the building was altered without a Certificate of Appropriateness. Zoning Enforcement Division issued a stop work order.

The building at 109 Romero is a New Mexico Vernacular style building, built as a dwelling, circa 1908. The building retains the characteristic architectural features of the style and period of construction. It is a Contributing property in the Old Albuquerque Historic District.

The proposed alterations are not consistent with the specific development guidelines for the Old Town Historic Overlay Zone and the historic architectural character of the subject property is diminished by the proposal to enlarge the window opening on the front façade of the historic building.

This case was continued from the October 14, 2009 hearing to allow the applicant time to prepare an alternative proposal. It was deferred from the November 18, 2009 agenda to accommodate the applicant's schedule. No alternative proposal has been received to date.

**PRIMARY REFERENCES:**

Landmarks and Urban Conservation Ordinance; Design Guidelines for the Old Town Historic Overlay Zone.

City Departments and other interested agencies were given the opportunity to review this application from 9/17/09 to 9/31/09. Agency comments that were received were used in the preparation of this report, and begin on page 13 of original staff report.

## ***Background***

This report is supplemental to the original staff report dated October 14, 2009 and is intended to be read in conjunction with that report. Only new information and analysis is presented here.

At the October 14, 2009 hearing, the applicant proposed an alternative to the existing window. The case was continued to the November hearing to allow the applicant time to prepare a measured drawing and for staff to respond to the new proposal.

The applicant was not available for the November 18, 2009 hearing and the case was deferred. Staff has contacted the applicant several times requesting a new proposal but none has been received.

## ***CONCLUSION***

The conclusions contained in the October 14, 2009 staff report still stand. This case has been unresolved since August of 2008 when the work was implemented with a Certificate of Appropriateness. The recommendation of denial and the recommended findings of the October 14, 2009 report still stand. Denial of this application will allow the City to proceed with enforcement of the Landmarks and Urban Conservation Ordinance.

***FINDINGS for a request for a Certificate of Appropriateness for alteration - Case # 09LUCC-50041 / Project # 1007716 (October 14, 2009)***

1. This application is a request for a Certificate of Appropriateness for alteration at 109 Romero, described as Tract 164, MRGCD Map 38, in the Old Town Historic Overlay Zone, and zoned H-1.
2. The subject site is a Contributing property in the Old Albuquerque Historic District.
3. The proposal is to enlarge the original window opening to accommodate a wider storefront window.
4. In August of 2008, the existing window was removed, and the opening was made larger.
5. Section 14-16-2-25(D)(1) of the *Comprehensive Zoning Code* states “Any construction, modification, addition, alteration, moving or destruction which would affect the exterior appearance of any structure or place in the H-1 zone requires a Certificate of Appropriateness which must be approved by the Landmarks and Urban Conservation Commission.”
6. The alteration was implemented without a Certificate of Appropriateness. A Zoning Enforcement stop work order was issued.
7. The building at 109 Romero is one component of a group of buildings assembled, over time, in a linear pattern along Romero St. between South Plaza and Old Town Road.
8. 109 Romero is a New Mexico Vernacular style building, built as a dwelling, circa 1908. The building retains the characteristic architectural features of the style and period of construction.
9. The adjacent building at 105-107 Romero was constructed circa 1950's and is not a Contributing property in the Old Albuquerque Historic District. Window openings on the front façade of this building are consistent with the period of construction and may be original to the building.
10. The adjacent building at 121 Romero was constructed circa 1890's as a commercial building. Two large window openings flank the ten-foot tall main entry door, a feature consistent with its use as a general store.

11. The proposal to enlarge the window opening on the front façade of the subject building is not consistent with the specific development guidelines for the Old Town Historic Overlay Zone numbers 1, 2, 3, 6, 7, and 9. The proposed alteration destroys distinguishing qualities and architectural character of the property and its environment as analyzed in the staff report.
12. The LUC Ordinance Section 14-12(8)(B)(2) states that a Certificate of Appropriateness shall be approved if "The architectural character, historical value, or archaeological value of the structure or site itself or of any historic zone or urban conservation overlay zone in which it is located will not be significantly impaired or diminished".
13. This request does not comply with LUCC Ordinance sections 14-12-8-(B)(1), (B)(2), (B)(4) and (B)(5) as analyzed in the staff report. The proposal to enlarge the window opening is not consistent with the specific development guidelines for the overlay zone, it diminished the architectural character and historical value of the historic building, and it alters the structure's and site's distinguished original qualities or character and does not match the original feature in design or composition.
14. The *Albuquerque/Bernalillo County Comprehensive Plan* contains goals and policies related to Environmental Protections and Heritage Conservation. Section 11.C.5 Historic Resources goal is to protect reuse or enhance significant historic districts and buildings.
15. Section 11.C.9 Community Identity and Urban Design goal is "to preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods." Policy b states "In each Community Area, strategic planning, neighborhood planning, development and redevelopment shall be evaluated in light of its relationship to and effect upon (3) Local history, specifically architectural styles and traditions and current and historic significance to Albuquerque."
16. The proposed alteration does not protect the historic resource. The vertically oriented windows openings original to 109 Romero are one of the building's characteristic historic features. Enlarging the opening diminishes the historic character of the resource and of the Old Albuquerque Historic District. The proposed alteration does not support the Community Identity and Urban Design goal.
17. The proposed alteration does not support the Historic Resources goal as described in Finding 16 above.

18. At the October 14, 2009 hearing, the applicant proposed an alternative to the existing window. The case was continued to the November hearing to allow the applicant time to prepare a measured drawing and for staff to respond to the new proposal.
19. The applicant was not available for the November 18, 2009 hearing and the case was deferred.
20. Staff has contacted the applicant several times requesting a new proposal but none has been received.

***RECOMMENDATION - Case No. 09LUCC-50041 / Project # 1007716***

**DENIAL of Case no.09LUCC-50041 / Project # 1007716**, an application for a Certificate of Appropriateness for alteration located at 109 Romero NW. This property is more specifically described as Tract 164, a property in the Old Town Historic Overlay Zone, zoned H-1, based on the above 17 Findings.

---

\_\_\_\_\_  
**Maryellen Hennessy, Senior Planner,  
Current Planning Division**

Attachments

---

## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***ZONING CODE SERVICES DIVISION***

NO COMMENT

### ***BUILDING & SAFETY SERVICES DIVISION***

BUILDING PERMIT REQUIRED.

### ***HISTORIC PRESERVATION/ADVANCED PLANNING***

NO RESPONSE

### ***TRANSPORTATION PLANNING***

***PNM***

***ENVIRONMENTAL HEALTH DEPARTMENT***

***SOLID WASTE MANAGEMENT DEPARTMENT***

***FIRE DEPARTMENT/Planning***

---

### ***COMMENTS FROM OTHER AGENCIES, WHEN APPLICABLE:***

***TRANSIT DEPARTMENT***

***POLICE DEPARTMENT***

***PARKS AND GENERAL SERVICES***

***OPEN SPACE DIVISION***

***BERNALILLO COUNTY***

***ALBUQUERQUE FLOOD CONTROL AUTHORITY***

***ALBUQUERQUE PUBLIC SCHOOLS***

***MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS***